

Notice of Allowability

Application No.

10/727,043

Examiner

Karen E. Toth

Applicant(s)

TANABE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the remarks and amendment filed 4 September 2007.
2. ☒ The allowed claim(s) is/are 1-3, 5-8, 12, 14, 16, 18 and 25.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

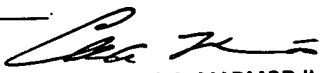
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHARLES A. MARMOR II
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

DETAILED ACTION

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to anticipate or make obvious the invention of claims 1-3, 5-8, and 24, including, *inter-alia*, a device for monitoring pulse waves comprising a pulse wave detector, a unit for detecting characteristic points in the pulse wave, calculating parameters from the points, and calculating an index by performing a computation on the parameters, a device for measuring blood pressure, and a display unit that shows a two-dimensional graph with the index on one axis and blood pressure on the other, with a mark on the graph that indicates a prescription that is a function of the correlation between the index and blood pressure.

The prior art of record fails to anticipate or make obvious the invention of claims 12, 14, 16, and 18, including, *inter-alia*, a device for monitoring pulse waves comprising a device for detecting pulse waves, a unit for calculating a plurality of indices from the pulse waves, each different index being representative of a pulse wave reflection, and a unit for displaying a two-dimensional graphs with a correlation between at least two of the indices and a mark representing a prescription whose position on the graph represents the correlation between the pulse wave indices.

Ogura (US Patent Application Publication 2003/0167014) discloses an apparatus comprising a pulse wave detection device (elements 36, 54); a device for processing the detected pulse wave (elements 32, 96); a device for measuring blood pressure (elements 16, 86); and a display unit (elements 79, 98). The pulse wave processing

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device is used to determine characteristic points of the detected pulse wave, calculate characteristic parameters, and calculate an index of a pulse wave reflection from said parameters (paragraphs [0005], [0065]). The display unit may be used to show (figure 11; paragraph [0074]) the calculated index on one axis of a 2-D graph ("AI") and the measured blood pressure on a second axis ("BLOOD PRESSURE (mmHg)"). Ogura also discloses an apparatus comprising a pulse wave detection device (elements 36, 54); a device for processing the detected pulse wave (elements 32, 96); and a display unit (elements 79, 98). The pulse wave processing device is used to calculate a plurality of indices from the pulse wave (paragraphs [0005], [0065]). The display unit may be used to show the correlation between indices on a 2-dimensional graph (figure 11; paragraph [0074]). Ogura does not include a prescription marking on the display.

Kodama (US Patent Application Publication 2003/0013988) teaches a system that uses measurements of physiological parameters (steps S42, S43, S44) to make treatment and therapy recommendations (step S45) that are displayed with a mark (figure 11). Kodama's display does not include a correlation between physical measurements, nor are the displayed marks presented in a particular location relative to their corresponding data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

2. Applicant's arguments, see the amendment filed 4 September, with respect to claims 1-3, 5-8, 12, 14, 16, and 18 have been fully considered and are persuasive. The rejection of these claims has been withdrawn.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6884221 to Narimatsu, which discloses a similar display.

US Patent Application Publication 2003/0004422 to Narimatsu, which discloses a similar display.

US Patent Application Publication 2003/0083580 to Tampo, which discloses a similar display.

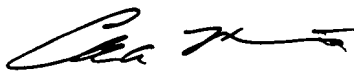
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen E. Toth whose telephone number is 571-272-6824. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, II can be reached on 571-272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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CHARLES A. MARMOR II
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700